

CITY COUNCIL OF THE CITY OF SEAT PLEASANT, MARYLAND

Ordinance No.: O-17-02

Introduced by: City Council

Date Introduced: July 11, 2016

First Reading: July 11, 2016

Second Reading: July 19, 2016

Date Adopted: July 19, 2016

Date Effective: August 10, 2016

AN ORDINANCE concerning

CHAPTER 150 – Vehicles and Traffic School Zone Enforcement for Central High School

FOR the purpose of amending Chapter 150 – Vehicles and Traffic of the Code of the City of Seat Pleasant for the purpose of designating Central High School as a school zone subject to school zone speed enforcement in the City of Seat Pleasant; providing that the title of this Ordinance shall be deemed a fair summary and generally relating to school zone speed enforcement in the City.

BY amending Chapter 150 – Vehicles and Traffic
§ 150-72
Code of the City of Seat Pleasant (1994 Edition, as amended)

WHEREAS, pursuant to Md. Code Ann., Transp. § 21-809(b)(1)(i), the City Council is authorized to implement speed monitoring systems in designated school zones within the corporate limits of the City of Seat Pleasant (the “City”) by local law enacted after reasonable notice and a public hearing; and

WHEREAS, pursuant to Md. Code Ann., Transp. § 21-809(b)(1)(iii), the City Council must submit a plan of any proposed school zone and location of the speed monitoring system therein to Prince George’s County (the “County”) and obtain approval therefrom prior to implementing a speed monitoring system in a designated school zone, which approval may not be unreasonably denied by the County, and the County’s failure to respond within 60 days shall be deemed approval; and

WHEREAS, on October 11, 2010, following notice and a public hearing in accordance with the Transportation Article, the City Council enacted Ordinance No. O-11-02 authorizing the

use of school zone speed monitoring systems and designating the ½ mile radius around Seat Pleasant Elementary School as a school zone; and

WHEREAS, on December 13, 2010, the City notified the County of the City Council's enactment of Ordinance No. O-11-02 and requested the County's approval to use speed monitoring systems on the portion of Addison Road located in the City limits and within a ½ mile radius of Seat Pleasant Elementary School, Central High School, and St. Margaret Catholic School; and

WHEREAS, the County did not respond to the City's request for approval, thus constituting approval; and

WHEREAS, the City Council is desirous of amending § 150-72 to designate the ½ mile radius of Central High School as a school zone and authorizing the use of speed monitoring systems therein; and

WHEREAS, the City Council deems it in the interest of the public health, welfare and safety of the citizens of the City of Seat Pleasant, and for the good government of the City of Seat Pleasant, to enact this Ordinance and to take the actions as described herein.

SECTION 1. BE IT ORDAINED BY THE SEAT PLEASANT CITY COUNCIL that Chapter 150 (Vehicles and Traffic), § 150-72 of the Code of the City of Seat Pleasant (1994 Edition, as amended) be and it is hereby amended to read as follows:

§ 150-72. Administrative fees.

A. UNCHANGED.

B. UNCHANGED.

C. UNCHANGED

D. UNCHANGED

E. UNCHANGED

F. The following school zones are established within the City of Seat Pleasant pursuant to Transportation Article, § 21-803.1, of the Maryland Annotated Code:

(1) Seat Pleasant Elementary School zone AND CENTRAL HIGH SCHOOL ZONE. The limits of ((this)) THESE school ((zone)) ZONES, and the maximum speed ((limit)) LIMITS within ((this zone)) THESE ZONES, are as follows:

(a) All streets and parts of streets, not under state jurisdiction, that lie within a one-half-mile radius of Seat Pleasant Elementary School AND A ONE-HALF MILE RADIUS OF CENTRAL HIGH SCHOOL WITHIN JURISDICTIONAL BOUNDARIES OF THE CITY OF SEAT PLEASANT. The maximum speed LIMIT in ((this school

zone)) THESE SCHOOL ZONES is 30 miles per hour.

G. IF THE CITY MOVES OR PLACES A MOBILE OR STATIONARY SPEED MONITORING SYSTEM TO OR AT A LOCATION WHERE A SPEED MONITORING SYSTEM HAD NOT PREVIOUSLY BEEN MOVED OR PLACED, THE CITY MAY NOT ISSUE A CITATION FOR A VIOLATION RECORDED BY THAT SPEED MONITORING SYSTEM:

- (1) UNTIL SIGNAGE IS INSTALLED IN ACCORDANCE WITH MD. CODE ANN., TRANSP. § 21-809(B)(1)(VII) AS AMENDED FROM TIME TO TIME; AND
- (2) FOR AT LEAST THE FIRST 15 CALENDAR DAYS AFTER THE SIGNAGE IS INSTALLED.

SECTION 2. AND BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT that the title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

SECTION 3. AND BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT that, if any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the City Council that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase or portion hereof.

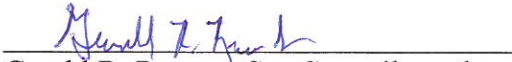
SECTION 4. AND BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT that the Recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

SECTION 5. AND BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT that the City Clerk shall certify to the passage of this Ordinance, and cause the same or, to the extent permitted by the Charter, a fair summary of the same, to be published as required by law, and that this Ordinance shall become effective at the expiration of twenty (20) days following approval by the Mayor or passage by the City Council over the Mayor's veto.

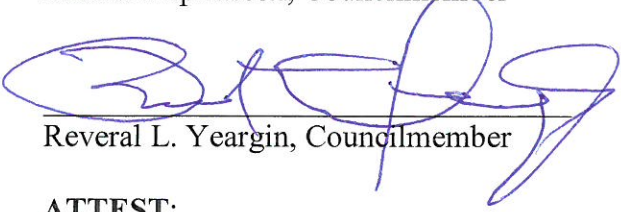
SECTION 6. AND BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT that, in accordance with Md. Code Ann., Transp. § 21-809(b)(1)(vii), the Acting City Administrator, or his designee, is hereby directed to publish notice of the location of the speed monitoring system in the Central High School school zone on the City's website for a period of 60 days and in a newspaper of general circulation in the City at least once following the passage of this Ordinance.

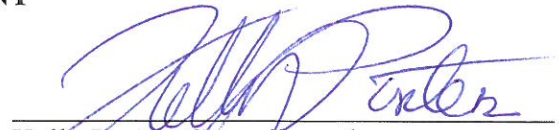
COUNCIL OF THE CITY OF SEAT PLEASANT


Barbara Kennedy, Councilmember

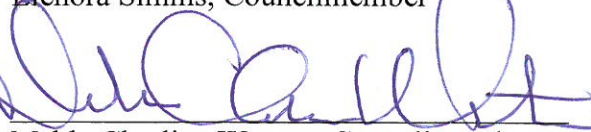

Gerald R. Raynor, Sr., Councilmember

Aretha Stephenson, Councilmember


Reveral L. Yeargin, Councilmember


Kelly Porter, Councilmember


Elenora Simms, Councilmember

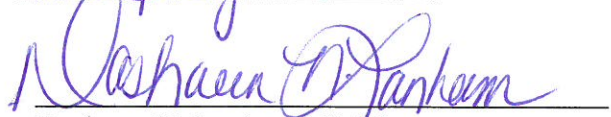

Mable Charlina Watson, Councilmember

ATTEST:

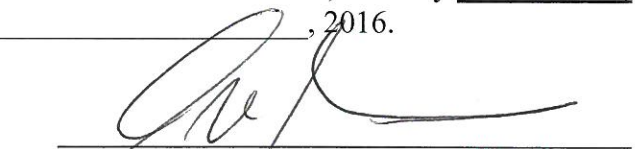
Dashaun N. Lanham, CMC
City Clerk

APPROVED:

This Ordinance was presented to the Mayor for his approval or disapproval pursuant to Section C-313 of the Charter for Seat Pleasant this 14th July, 2016


Dashaun N. Lanham, CMC
City Clerk

In accordance with Section C-313 of the Charter for Seat Pleasant, I hereby **(APPROVE)** **(DISAPPROVE)** of this Ordinance this _____, 2016.


Eugene W. Grant, Mayor

EXPLANATION:
CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

((Double Parenthesis)) indicate matter deleted from existing law.
Underlining indicates amendments to bill.
~~Strike Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.